

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RANDY MAESTAS,

Plaintiff,

v.

BRYAN D. PHILLIPS,

Defendant.

No. 1:23-cv-00893-ADA-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CASE WITH PREJUDICE

(ECF No. 9)

Plaintiff Randy Maestas is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 14, 2023, the Magistrate Judge issued findings and recommendations, recommending that the Court dismiss this case based on claim preclusion and frivolousness. (ECF No. 9.) The findings and recommendations contained notice that Plaintiff had fourteen days within which to file objections. (*Id.* at 7.) Plaintiff filed objections on September 8, 2023. (ECF No. 10.) Those objections contain no substantive arguments and no reason for the Court to deviate from the Magistrate Judge's findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a de novo review of this case. Having carefully reviewed the entire file, including Plaintiff's

1 objections, the Court concludes that the findings and recommendations are supported by the
2 record and proper analysis.

3 Accordingly,

- 4 1. The findings and recommendations issued on August 14, 2023, (ECF No. 9), are
5 adopted in full;
- 6 2. This case is dismissed, with prejudice, based on claim preclusion and
7 frivolousness; and
- 8 3. The Clerk of Court is directed to close this case.

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11 IT IS SO ORDERED.

12 Dated: September 22, 2023


UNITED STATES DISTRICT JUDGE